

INITIAL STATEMENT OF REASONS

a) Specific Purpose of the Regulations and Factual Basis for Determination that Regulations Are Necessary

Section 63-405.136

Specific Purpose:

This section is adopted to incorporate changes regarding federal food stamp eligibility for legal non-citizens.

Factual Basis:

This section is necessary to adopt into regulations Public Law (P.L.) 107-171, Title IV, Section 4401, which became effective on May 13, 2002. P.L. 107-171 amends the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 which restores federal food stamp eligibility for legal non-citizens that have been in the country for five or more years.

Section 63-405.136(a) (Handbook)

Specific Purpose:

This handbook section is being added to further define the five-year qualifying period for legal non-citizens.

Factual Basis:

This handbook section is necessary to ensure that the qualifying five-year period for the application of this section is calculated uniformly and correctly in accordance with P.L. 107-171, Title IV, Section 4401.

b) Identification of Documents Upon Which Department Is Relying

- Public Law 107-171, Title IV, Section 4401
- United States Department of Agriculture, Food and Nutrition Service, Administrative Notice 03-04, dated October 21, 2002.

c) Local Mandate Statement

These regulations do impose a mandate upon local agencies, but not school districts. There are “state-mandated local costs” in these regulations, which require federal and state reimbursement due to increased administrative costs under Section 17500 et seq. of the

Government Code. However, the conversion of recipients from the California Food Assistance Program to the federal food stamp program will result in a significant savings to the state in providing benefits to this population. The local, state, and federal agencies share administrative costs. Increased costs in benefits are paid entirely by the federal government.

d) Statement of Alternatives Considered

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

e) Statement of Significant Adverse Economic Impact On Business

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.